

EXHIBIT 76

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
2 ALISHA M. LOUIE (SBN 240863)
3 KAREN ROSENTHAL (SBN 209419)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
13 California as Polo Retail Corporation; and Fashions Outlet of
14 America, Inc.

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16
17 ANN OTSUKA, an individual; JANIS KEEFE,
18 an individual; CORINNE PHIPPS, an
19 individual; and on behalf of all others similarly
situated,

20 Plaintiffs,
v.

21 POLO RALPH LAUREN CORPORATION, a
22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF DIANA
VANDERWALL IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

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DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, DIANA VANDERWALL, declare:

2 1. I am presently a supervisor at the Polo Ralph Lauren Factory Outlet store located in
 3 Pismo Beach, California ("Pismo Beach store"). I have held this position since October 2005.
 4 Previously I was a stockroom lead and a keyholder at the Tulare store from September 1997 to
 5 October 2005. I have personal knowledge of the facts set forth in this declaration, and if called as a
 6 witness, could and would competently testify as set forth below.

7 2. I currently work from 33-37 hours per week and I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 10 inspection process which is performed by either a manager or supervisor. It takes less than 5 minutes
 11 to leave the store after I clock out and have my bag inspected. In the entire time I've been with Polo
 12 since 1997, I have had to wait up to 10 minutes on a total of 5 occasions.

13 4. I have not had any problems with locating a manager to perform a bag inspection and
 14 have no complaints about the process.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking out at the end of my shift. I am
 17 always clocked in for the time I spend working in the store, and I don't perform work off the clock. I
 18 am compensated for all the time I spend working in the store, and I usually check my paycheck to
 19 make sure it reflects the number of hours that I've worked.

20 **Rest Breaks**

21 6. The rest break schedule is written on the Daily Planning Agenda by the opening
 22 manager. I either tell a manager when its time for me to take a rest break or a manager tells me when
 23 its time. I initial the Daily Planning Agenda as I'm leaving for my rest break.

24 7. Since 1997 I always taken my rest break. If I missed one it was my choice but 99% of
 25 the time I have taken my rest breaks.

26 **Meal Breaks**

27 8. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
 28 timing is written down on the Daily Planning Agenda.

1 9. I always take my meal breaks. Managers are very good about making sure that
2 employees always take their breaks.

3 10. Sometimes I function as the Customer Service Manager in my store, and I always
4 make sure that everyone takes a rest and meal break on my shift.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed at Pismo
6 California, this 17th day of June, 2008.

Diana Vanderwall
Diana Vanderwall

EXHIBIT 77

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
2 ALISHA M. LOUIE (SBN 240863)
3 KAREN ROSENTHAL (SBN 209419)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
California as Polo Retail Corporation; and Fashions Outlet of
13 America, Inc.

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
18 an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
situated,

19 Plaintiffs,
20 v.

21 POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

22 Defendants.

23 Case No. C07-02780 SI

**DECLARATION OF BIANCA
BENAVENTE IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

24 DATE: July 11, 2008
25 TIME: 9:00 a.m.
26 CTRM: 10, 19th Fl.
27 JUDGE: The Hon. Susan Illston

1 I, BIANCA BENAVENTE, declare:

2 1. I am presently the Womens and Childrens supervisor at the Polo Ralph Lauren Factory
 3 Outlet store located in San Diego, California ("San Diego store"). I have personal knowledge of the
 4 facts set forth in this declaration, and if called as a witness, could and would competently testify as
 5 set forth below.

6 2. I started working for the San Diego store in September 2007 as a stock supervisor. In
 7 January 2008 I was promoted to supervisor. I work approximately 30-40 hours per week, 5 days a
 8 week. I am paid at an hourly rate of pay.

9 **Bag Inspection**

10 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 11 inspection process which is performed by either a manager or supervisor. It takes me about 10
 12 minutes to leave the store after I clock out and have my bag inspected because I like to stop and talk to
 13 people on my way out. If I don't stop to talk it takes about 2-3 minutes to exit the store after clocking
 14 out.

15 4. I have not had any problems with locating a manager to perform a bag inspection and
 16 have no complaints about the process.

17 **Clocking Out**

18 5. I have never experienced any problems with clocking out at the end of my shift.

19 6. I am always on the clock when I am working. I am paid for all the time spent working
 20 in the store.

21 **Rest Breaks**

22 7. The rest breaks are scheduled by the manager on the Daily Planning Agenda. I always
 23 look at it to see when my break is scheduled. Sometimes a manager comes and tells me when its time to
 24 take my break; sometimes I tell a manager when it is time for me to go.

25 8. I always take my rest breaks.

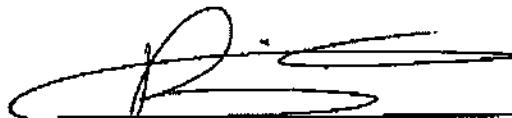
26 **Meal Breaks**

27 9. The timing of meal breaks are scheduled by the manager on the Daily Planning
 28 Agenda, and he tells me when its time for me to take my meal break.

1 10. I always take my meal breaks.

2 11. The managers are very anal retentive about making sure that everyone takes their rest
3 and meal breaks.

4 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
5 Diego, California, this 12 day of June, 2008.



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7 Bianca Benavente
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EXHIBIT 78

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.
 21 POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,
 22 Defendants.

Case No. C07-02780 SI

**DECLARATION OF ROBERTO
 LIMONES IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, ROBERTO LIMONES, declare:

2 1. I am presently a full time stock supervisor at the Polo Ralph Lauren Factory Outlet
 3 store located in San Diego, California ("San Diego store"). I have personal knowledge of the facts
 4 set forth in this declaration, and if called as a witness, could and would competently testify as set
 5 forth below.

6 2. I started working for the San Diego store in August 2006 as a stock associate. I was
 7 promoted to stock supervisor in February 2008. I work approximately 35-40 hours per week, 5 days
 8 a week. I am paid at an hourly rate of pay.

9 **Bag Inspection**

10 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 11 inspection process which is performed by either a manager or supervisor. It takes a maximum of 2
 12 minutes to leave the store after I clock out and have my bag inspected.

13 4. I have not had any problems with locating a manager to perform a bag inspection and
 14 have no complaints about the process.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking out at the end of my shift.

17 6. I am always on the clock when I am working. I always clock myself in and out unless
 18 I work an overnight shift, then a manager clocks me out and adjusts my time the next day. I am
 19 careful to keep track of my hours and compare them to my paycheck, and they have always been
 20 accurate.

21 **Rest Breaks**

22 7. Because I work in the stock room and I'm not out on the selling floor I coordinate my
 23 own rest breaks; I just let a manager know when I am leaving. When I was a stock associate I
 24 worked out the timing of my rest break with the stock supervisor.

25 8. I always take my rest breaks but sometimes I come back early if I have a lot of work to
 26 do. I understood that I am supposed to take the entire 15 minutes but sometimes I want to come back
 27 early.

1 | Meal Breaks

9. The timing of meal breaks are coordinated among the stock associates.

10. I always take my meal breaks.

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Diego, California, this 12 day of June, 2008.


Roberto Limones

EXHIBIT 79

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
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10 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 11 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 12 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF RUBEN
 ESCALENTE IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, RUBEN ESCALENTE, declare:

2 1. I am presently the lead cashier at the Polo Ralph Lauren Factory Outlet store located
 3 in San Diego, California ("San Diego store"). I have personal knowledge of the facts set forth in this
 4 declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Polo Jeans store, which is no longer open, from November
 6 2006 to January 2007. Then I started working for the San Diego store in April 2007 as a sales
 7 associate. I work approximately 27-35 hours per week, 5 days a week. I am paid at an hourly rate of
 8 pay.

9 **Bag Inspection**

10 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 11 inspection process which is performed by either a manager or supervisor. It takes me about 2-3
 12 minutes to leave the store after I clock out and have my bag inspected. Sometimes I have to find a
 13 manager, but it still doesn't take very long.

14 4. I have not had any problems with locating a manager to perform a bag inspection and
 15 have no complaints about the process.

16 **Clocking Out**

17 5. I have never experienced any problems with clocking out at the end of my shift. I
 18 always clock myself in and out.

19 6. I am always on the clock when I am working. My paychecks accurately reflect the
 20 time that I have worked.

21 **Rest Breaks**

22 7. I know exactly when I am entitled to take rest and meal breaks depending on how
 23 many hours I work in a given shift because Polo posts the requirements, and I have memorized them.
 24 The manager tells me when it is time to take my rest break.

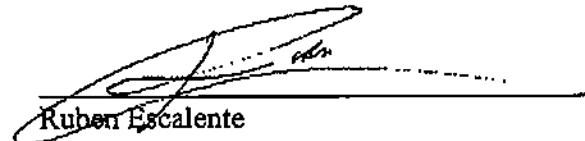
25 8. I have never missed a rest break.

26 **Meal Breaks**

27 9. A manager tells me when to take a meal break. The times for rest and meal breaks are
 28 posted on the Daily Planning Agenda, so I know when I'm supposed to take my breaks.

1 10. I always take my meal breaks.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
3 Diego, California, this 12 day of June, 2008.

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Ruben Escalente

EXHIBIT 80

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
 4 GREENBERG TRAURIG, LLP
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 Email: meierj@gtlaw.com

10 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 11 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 12 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16
 17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.
 21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,
 Defendants.

Case No. C07-02780 SI

**DECLARATION OF OSCAR SEGURA
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, OSCAR SEGURA, declare:

2 1. I am presently a part-time cashier at the Polo Ralph Lauren Factory Outlet store
 3 located in San Diego, California ("San Diego store"). I have personal knowledge of the facts set
 4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
 5 below.

6 2. I started working for the San Diego store in November 2007. I work approximately 20
 7 hours per week, 5 days a week. I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 10 inspection process which is performed by either a manager or supervisor. It takes about 2 minutes to
 11 leave to store after I clock out and have my bag inspected.

12 4. I have not had any problems with locating a manager to perform a bag inspection and
 13 have no complaints about the process. A manager usually tells me when its time to clock out and then
 14 goes to wait by the door for me so he can perform a bag inspection.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking out at the end of my shift.

17 6. I am always on the clock when I am working. I am paid for all the time spent
 18 working in the store.

19 **Rest Breaks**

20 7. The rest breaks are scheduled by the manager. In the morning I am told when I will be
 21 taking my breaks for the day.

22 8. A manager comes and tells me when its time to take my break. Sometimes if he
 23 forgets I remind him when its time for me to go. I always take my rest breaks.

24 **Meal Breaks**

25 9. The timing of meal breaks are scheduled by the manager in the morning, and he tells
 26 me when its time for me to go.

27 10. I always take my meal breaks.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
2 Diego, California, this 17 day of June, 2008.

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4 Oscar Segura
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EXHIBIT 81

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
 4 GREENBERG TRAURIG, LLP
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 Facsimile: (916) 448-1709
 Email: meierj@gtlaw.com

10 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 11 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 12 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

24 Case No. C07-02780 SI

25 **DECLARATION OF MAYA FELIX IN
 SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

26 DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, MAYA FELIX, declare:

2 1. I am presently a part time cashier lead at the Polo Ralph Lauren Factory Outlet store
3 located in San Diego, California ("San Diego store"). I have personal knowledge of the facts set
4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
5 below.

6 2. I started working for the San Diego store in May 2005 when the San Diego store first
7 opened. I work approximately 20 hours per week, 5 days a week. I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. It takes about 3 minutes to
11 leave to store after I clock out and have my bag inspected. I find a manager on duty who can check
12 me out, or I tell a coworker to send a message over the walkie-talkie to a manager that I need to be
13 checked out.

14 4. I have not had any problems with locating a manager to perform a bag inspection and
15 have no complaints about the process.

16 **Clocking Out**

17 5. I have never experienced any problems with clocking out at the end of my shift.

18 6. I am always on the clock when I am working. I am paid for all the time spent
19 working in the store.

20 **Rest Breaks**

21 7. The rest breaks are scheduled by the manager. A manager comes and tells me when
22 its time to take my break.

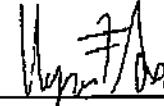
23 8. I always take my rest breaks.

24 **Meal Breaks**

25 9. The timing of meal breaks are scheduled by the manager, and he tells me when its
26 time for me to take my meal break.

27 10. I always take my meal breaks.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed at San
2 Diego, California, this 13 day of June, 2008.

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4 13/June/08
5 Maya Felix

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EXHIBIT 82

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
 4 GREENBERG TRAURIG, LLP
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 Facsimile: (916) 448-1709
 Email: meierj@gtlaw.com

11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF NATALIE VICINO
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, NATALIE VICINO, declare:

2 1. I am presently a part time sales associate at the Polo Ralph Lauren Factory Outlet store
 3 located in Vacaville, California ("Vacaville store"). I have personal knowledge of the facts set forth
 4 in this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Vacaville store in September 2007 as a sales associate in the
 6 Mens Department. I currently work 24 hours per week and I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 9 inspection process which is performed by either a manager or supervisor. It takes an average of 2-3
 10 minutes to leave the store after I clock out and have my bag inspected.

11 4. I have not had any problems with locating a manager to perform a bag inspection and
 12 have no complaints about the process.

13 **Clocking Out**

14 5. I have never experienced any problems with clocking out at the end of my shift. If I
 15 work past the time the store needs to shut down and a manager clocks me out, they write down my
 16 extra time on a note and it is adjusted the next day. I am compensated for all the time I spend working
 17 in the store.

18 **Rest Breaks**

19 6. The rest break schedule is written on the Daily Planning Agenda by the opening
 20 manager. I initial the Daily Planning Agenda as I'm leaving for my rest break. I always check the
 21 Daily Planning Agenda to see when my rest and meal breaks are scheduled so I know when I am
 22 supposed to leave.

23 7. I always take my rest breaks.

24 **Meal Breaks**

25 8. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
 26 timing is written down on the Daily Planning Agenda.

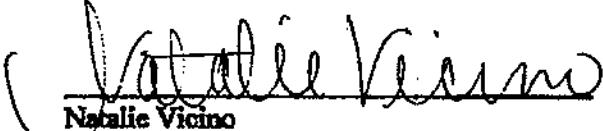
27 9. I always take my meal breaks, and I've never had to be reminded by a manager to take
 28 my rest break.

06/16/2008 18:49 FAX

0003/0003

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2 I declare under penalty of perjury that the foregoing is true and correct. Executed at Vacaville
3 California, this 14 day of June, 2008.

4 
5 Natalie Vicino
6

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EXHIBIT 83

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
 3 KAREN ROSENTHAL (SBN 209419)
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10 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 11 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 12 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

16

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,

20 v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

24 Case No. C07-02780 SI

25

26 **DECLARATION OF ROBERT IBARRA**
IN SUPPORT OF OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION

27

28 DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, ROBERT IBARRA, declare:

2 1. I am presently a supervisor at the Polo Ralph Lauren Factory Outlet store located in
 3 Vacaville, California ("Vacaville store"). I have personal knowledge of the facts set forth in this
 4 declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Vacaville store in August 2003 as a sales associate in the
 6 Mens Department, and I was promoted to supervisor in April 2007. I currently work 30-40 hours per
 7 week and I am paid at an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 10 inspection process which is performed by either a manager or supervisor. Since starting with Polo in
 11 2003, it has taken an average of 2-4 minutes to leave the store after I clock out and have my bag
 12 inspected. Even when it is busy it generally does not take longer than 5 minutes to leave the store.

13 4. I have not had any problems with locating a manager to perform a bag inspection and
 14 have no complaints about the process.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking out at the end of my shift. My
 17 paycheck accurately reflects the number of hours that I have worked; I check it for accuracy.

18 6. I have never seen my hours recorded inaccurately by Polo in the 3 ½ years I've been
 19 here, and I've never had to ask for an adjustment of my time.

20 **Rest Breaks**

21 7. The rest break schedule is written on the Daily Planning Agenda by the opening
 22 manager. In the morning associates confer with managers and learn the time of their rest breaks. If I
 23 forget to take a rest break the manager reminds me.

24 8. Since 2004 I have always taken my rest breaks, but every once and a while I forget.

25 **Meal Breaks**

26 9. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
 27 timing is written down on the Daily Planning Agenda. In the morning associates confer with
 28 managers and learn the time of their meal breaks.

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1 10. As far as I can remember since I started working here in 2003 I have never missed a
2 meal break.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Vacaville
California, this 15 day of June, 2008.


Robert Ibarra

Robert Ibarra

EXHIBIT 84

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
 2 ALISHA M. LOUIE (SBN 240863)
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10 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 11 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 12 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

13
 14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16

17 ANN OTSUKA, an individual; JANIS KEEFE,
 18 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

19 Plaintiffs,
 20 v.

21 POLO RALPH LAUREN CORPORATION, a
 22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF JENNIFER
 OLKOWSKI IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, JENNIFER OLKOWSKI, declare:

2 1. I am presently a part time sales associate at the Polo Ralph Lauren Factory Outlet store
 3 located in Vacaville, California ("Vacaville store"). I have personal knowledge of the facts set forth
 4 in this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Vacaville store in November 2006 as a sales associate in the
 6 Womens Department. I currently work 20-30 hours per week and I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 3. Each day after clocking out and prior to exiting the store, I must go through a bag
 9 inspection process which is performed by either a manager or supervisor. It takes less than 5 minutes
 10 to leave the store after I clock out and have my bag inspected.

11 4. I have not had any problems with locating a manager to perform a bag inspection and
 12 have no complaints about the process.

13 **Clocking Out**

14 5. I have never experienced any problems with clocking out at the end of my shift. If I
 15 work past the time the store needs to shut down and a manager clocks me out, they write down my
 16 extra time on a note and it is adjusted the next day. I am compensated for all the time I spend working
 17 in the store.

18 **Rest Breaks**

19 6. The rest break schedule is written on the Daily Planning Agenda by the opening
 20 manager. I initial the Daily Planning Agenda as I'm leaving for my rest break.

21 7. I always take my rest break.

22 **Meal Breaks**

23 8. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
 24 timing is written down on the Daily Planning Agenda.

25 9. I always take my meal breaks. Managers are very good about making sure that
 26 employees always take their breaks.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed at Vacaville
2 California, this 16 day of June, 2008.

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Jennifer Olkowski